



"Express Mail" mailing label number EV 316043109 US

Date of Deposit: December 28, 2005

**PATENT  
CASE NO. 56/436**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: )  
Erich Strasser et al. )  
International Patent Application )  
No. PCT/EP02/13547 )  
International Filing )  
Date: November 30, 2002 ) Confirmation No. 8474  
U.S. Patent Application )  
Serial No.: 10/500,787 )  
Filed: July 2, 2004 )  
For: POSITION MEASURING DEVICE )  
Group Art Unit: 2859  
Examiner: Fulton. Christopher W.

## RESPONSE TO NOTICE OF ALLOWANCE

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

A Notice of Allowance for the above-mentioned application was mailed on September 29, 2005 that presented a statement of reasons for the allowance of the claims. Applicants traverse the statement in that there are broader and/or other reasons why the claims are allowable over the prior

art. In addition, the statement appears to be directed to the position measuring device of claims 16-24 and not the method of claims 25-32.

Respectfully submitted,



John C. Freeman  
Registration No. 34,483  
Attorney for Applicants

BRINKS HOFER  
GILSON & LIONE  
P.O. Box 10395  
Chicago, Illinois 60610  
(312) 321-4200

Dated: December 28, 2005



U.S.P.S. EXPRESS MAIL "POST OFFICE TO ADDRESSEE" SERVICE  
DEPOSIT INFORMATION

Express Mail Label No.: EV 316043109 US

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**BRINKS  
HOFER  
GILSON  
& LIONE**

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In re Appln. of: Erich Strasser et al.

Appln. No.: International Patent Application  
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Attorney Docket No: 56/436

Mail Stop Issue Fee  
Commissioner for Patents  
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**TRANSMITTAL**

Sir:

**Attached is/are:**

Transmittal (in duplicate); Response to Notice of Allowance; Check in the Amount of \$1,730.  
 Return Receipt Postcard

**Fee calculation:**

No additional fee is required.  
 Small Entity.  
 An extension fee in an amount of \$\_\_\_\_ for a \_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
 A petition or processing fee in an amount of \$1,730.00 under 37 C.F.R. § 1.17(\_\_\_\_).  
 An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity		
					Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			X100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

**Fee payment:**

A check in the amount of \$1,730.00 is enclosed.  
 Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
 Payment by credit card in the amount of \$\_\_\_\_ (Form PTO-2038 is attached).  
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

John C. Freeman (Reg. No. 34,483)

Date

December 28, 2005